

**Enrolled Minutes of the Fifty-seventh Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Meeting
Monday, March 12, 2018**

Study Session. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, March 12, 2018 at 6:40 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steve Wagner and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council reviewed and discussed the agenda of the imminent regular meeting.
2. The IT Consultant showed sample electronic tablets that could be possibly used in lieu of paper for the Town Council at its meetings.

The study session ended at 6:59 O'clock p.m.

Regular meeting. The Twenty Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, March 12, 2018 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Mark A. Herak presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Girl Scout Troop 10280 presenting the colors, and with Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America. Councilor Dan Vassar offered a prayer. Laurel Roach issued Thin Mints to each member of the Town Council.

Girls Scouts of Troop 10280: Zoe Dieguez, Stephanie Slagle, Megan Wilson, Katlyn Broz, Addisyn Dujmovic, Siabella Burnett, Brielle Strezo, Tessah Robbins, Rachel Cordero, and Sara Vallejo-Villa. The Troop included Ambassador Scouts, Daisy's and a Brownie.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steve Wagner and Konnie Kuiper. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Jared Tauber, Esq., Tauber Law Office; John M. Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, PRCP, Parks and Recreation Superintendent; Kathy DeGuilio-Fox, Redevelopment Director; and Kenneth J. Mika, Building Commissioner, were present.

Also present: James Slagle and Jerry Krooswyk of the Town Board of Metropolitan Police Commissioners; George Georgeff, Board of Waterworks Directors; and Ed Dabrowski IT Director (Contract) was also present.

Minutes of the Previous Meetings: The minutes of the regular meeting of 26 February 2018 were approved by general consent.

Special Orders:

1. **Administration of Oath of Office** for Police Officer Candidate **Tyler J. Dills**. Police Officer Candidate Dills was appointed by the Town Board of Metropolitan Police Commissioners at its meeting of 8 February 2018, with the appointment to be effective 08 February 2018, but not earlier than INPRS approval.

(a) *Action by Town Council determining that the named Candidates Meet the Qualifications for such position, as Determined by the Town Board of Metropolitan Police Commissioners and as now approved by the Highland Town Council.*

Councilor Zemen moved, seconded by Councilor Kuiper to determine that Tyler J. Dills, meets the qualifications for the position of police officer, with such qualifications being fixed by the Town Board of Police Commissioners and now approved by the Town Council. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The candidate was found to meet the qualifications as fixed by the Town Board of Metropolitan Police Commissioners and now approved by the Town Council, pursuant to IC 36-8-9-4(a).

(b) *Administration of Oath of Office.* The Town Clerk-Treasurer discussed the history, basis and rationale for the taking of an oath. The Clerk-Treasurer administered the oath, to which Police Officer candidate offered affirmation.

(c) *Presentation of Badges by Metropolitan Police Commission Chair and/or Town Council President or the Metropolitan Police Chief.* Metropolitan Police Chief Hojnicky joined by Mr. Krooswyk of the Town Board of Metropolitan Police Commissioners, presented a badge to Police Officer Tyler J. Dills.

Officer Dills introduced his family, friends and closest friend to those present.

2. **Executive Proclamation:** *A Proclamation in Recognition of Girl Scout Week, March 11 through 17, 2018 and the 106th anniversary of the Girl Scout Movement.* With leave from the Town Council President, the Clerk-Treasurer read aloud the enrolled proclamation. The Town Council President announced and executed his approval with his signature.

**Town of Highland
Proclamation of the Town Executive**

**A Proclamation in Recognition of Girl Scout Week March 11-17, 2018
and the 106th Anniversary of the Girl Scouts Movement.**

WHEREAS, Monday, March 12, 2018 marks the 106th Anniversary of Girl Scouts of the U.S.A., founded by Juliette Gordon Low, March 12, 1912 in Savannah, Georgia and,

WHEREAS, Throughout the 106-year history, Girl Scouting Has inspired millions of girls and women with the highest ideals of character, conduct and patriotism; and;

WHEREAS, Each day through anti-violence projects, Girl Scouting ensures that girls at risk of living lives of crime are instead being given safe and productive paths for growing up; and

WHEREAS, Through the Girl Scout program, girls learn of their importance in the world, and their duty to the world around them and the responsibilities of citizenship in our Democracy; and

WHEREAS, Girl Scouting is playing an active role in increasing the fitness of today's children across the country through a national sports and fitness initiative; and

WHEREAS, More than three million current Girl Scout members nationwide celebrate 106 years of an American tradition with 50 million women who are former Girl Scouts now commit themselves to help today's girls;

NOW, THEREFORE, I, Mark A. Herak, by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, do urge the citizens of Highland to support the Girl Scouts in their 106th anniversary celebration and I hereby proclaim:

1. That the week of **March 11-17, 2018**, shall be *Girl Scout Week* in the Town of Highland;
2. That Monday, **March 12, 2018** shall be *Girl Scouts' Founder's Day*, in the Town of Highland;

and I further urge that the citizens of Highland join others across the nation by noting the 106th anniversary of this important, positive organization.

Duly Proclaimed by the President of the Town Council of the Town of Highland, Lake County, Indiana, this 12th day of March 2018.

TOWN OF HIGHLAND, INDIANA
By its TOWN COUNCIL PRESIDENT

/s/Mark A. Herak, President

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Town Clerk-Treasurer

3. **Executive Proclamation:** *A Proclamation in Recognition of HIGHLAND FIFTEEN YEAR OLD BABE RUTH BASEBALL TEAM on the Occasion of its Outstanding Achievement in its 2017 Season in Earning the Designation as INDIANA STATE BABE RUTH FIFTEEN YEAR OLD CHAMPIONS.* With leave from the Town Council President, the Clerk-Treasurer read aloud the enrolled proclamation. The Town Council President announced and executed his approval with his signature.

TOWN OF HIGHLAND
PROCLAMATION OF the TOWN EXECUTIVE

A PROCLAMATION in RECOGNITION of HIGHLAND FIFTEEN YEAR OLD BABE RUTH BASEBALL TEAM on the Occasion of its Outstanding Achievement in its 2017 Season in earning the designation of INDIANA STATE BABE RUTH FIFTEEN YEAR-OLD CHAMPIONS

Whereas, The parents and interested adults of this community have founded or caused to be organized several entities, among these are the Highland Boys Baseball Association and the Babe Ruth League, whose objects and purposes are to provide a recreational opportunity to Highland youth to play baseball and learn the conventions and traditions of competition in this American sport; and

Whereas, A Babe Ruth League Team comprised of promising and talented fifteen year old ball players was formed and began to represent the Town of Highland in tournament play, the Fifteen Year Old Babe Ruth League;

Whereas, Highland's Fifteen Year Old Babe Ruth Team, under the direction of Manager Edwin DeJesus and Coaches John Bogner and Marc Olah, did compete at the Indiana State Championship; and,

Whereas, Highland's Fifteen Year Old Babe Ruth Team, under the direction of Manager Edwin DeJesus and Coaches John Bogner and Marc Olah, did compete, earning wins against teams from Peru, Logansport, and New Castle to earn the high designation of INDIANA STATE 15 YEAR OLD BABE RUTH CHAMPIONS 2017; and

Whereas, Highland's Fifteen Year Old Babe Ruth Team, INDIANA STATE 15 YEAR OLD BABE RUTH CHAMPIONS 2017 was adorned by the able play and contributions of *Justin Bogner, Andrew Cison, Edwin DeJesus, Alex Dickey, Jacob Domagalski, Mateo Garcia, James Klapak, Lance Mulderink, Steven Niemann, Conner Olah, Eric Quasney Gill, Armando Salinas, Joe Thompson and Anthony Villarreal;* and;

Whereas, It is most appropriate that we recognize the dedication and commitment to the best conventions of sports competition evidenced by this exemplary team, which as Indiana State Babe Ruth 15 Year Old Champions, went on to represent the State of Indiana at the Ohio Valley Tournament, eventually eliminated in pool play by Kentucky;

Now, Therefore, I, Mark A. Herak, by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim, recognize and commend, **the Highland Fifteen Year Old Babe Ruth League as INDIANA STATE CHAMPIONS in their division;**

I further proclaim that the names of teams members of *Justin Bogner, Andrew Cison, Edwin DeJesus, Alex Dickey, Jacob Domagalski, Mateo Garcia, James Klapak, Lance Mulderink, Steven Niemann, Conner Olah, Eric Quasney Gill, Armando Salinas, Joe Thompson and Anthony Villarreal* as well as Manager Edwin DeJesus, Coaches John Bogner and Marc Olah be entered upon the minutes of the Highland Town Council, to be forever recorded and engrossed upon the permanent records of the Town in order to commend this team and its achievement;

I still further proclaim, the appreciation of the Town of Highland to the parents, interested adults and others who served capably and loyally to support this achievement and the positive experience of our fifteen-year-old champions;

In Witness Whereof, I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 12th day of March 2018.

TOWN of HIGHLAND, INDIANA
BY ITS TOWN COUNCIL PRESIDENT

/s/Mark A. Herak

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

4. **Executive Proclamation:** *A Proclamation in Recognition of HIGHLAND SENIOR BABE RUTH BASEBALL TEAM on the Occasion of its Outstanding Achievement in its 2017 Season in Earning the Designation as INDIANA STATE SENIOR BABE RUTH CHAMPIONS and Runners-up for the Ohio Valley Regional Senior Babe Ruth Championship.* With leave from the Town Council President, the Clerk-Treasurer read aloud the enrolled proclamation. The Town Council President announced and executed his approval with his signature.

TOWN OF HIGHLAND
PROCLAMATION OF the TOWN EXECUTIVE

A PROCLAMATION in RECOGNITION of HIGHLAND SENIOR BABE RUTH BASEBALL TEAM on the Occasion of its Outstanding Achievement in its 2017 Season in earning the designation of INDIANA STATE SENIOR BABE RUTH CHAMPIONS and Ohio Valley Regional Senior Babe Ruth Runners-up

Whereas, The parents and interested adults of this community have founded or caused to be organized several entities, among these are the Highland Boys Baseball Association and the Babe Ruth League, whose objects and purposes are to provide a recreational opportunity to Highland youth to play baseball and learn the conventions and traditions of competition in this American sport; and

Whereas, A Babe Ruth League Team comprised of promising and talented ball players was formed and began to represent the Town of Highland in tournament play, the Senior Babe Ruth League;

Whereas, Highland's Senior Babe Ruth Team, under the direction of Manager Sam Michel and Coaches Nik Mason and Will Kerber, did compete at the Indiana State Championship; and,

Whereas, Highland's Senior Babe Ruth Team, under the direction of Manager Sam Michel and Coaches Nik Mason and Will Kerber, did compete, going UNDEFEATED throughout tournament play, defeating Hammond 13-3 to earn the high designation of INDIANA STATE SENIOR BABE RUTH CHAMPIONS 2017; and

Whereas, Highland's Senior Babe Ruth Team, was undefeated in pool play in the Ohio Valley Regional Tournament earning the opportunity to play in the final Ohio Valley Regional Championship Game, losing in eight innings with a score of 2-1 to Blue Lick, Kentucky; and;

Whereas, It is most appropriate that we recognize the dedication and commitment to the best conventions of sports competition evidenced by this exemplary team, which as Indiana State Senior Babe Ruth Champions, went on to represent the State of Indiana at the Ohio Valley Tournament, earning the designation of runner-up;

Now, Therefore, I, Mark A. Herak, by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim, recognize and commend, **the Highland Senior Babe Ruth League as INDIANA STATE CHAMPIONS in their division and as Runners-up for the Ohio Valley Regional Championship;**

I further proclaim that the names of teams members *Arick Casiano, Mark DeLeon, Matt Domagalski, Steven Fowler, Brandon Geringer, Gavin Holder, Anthony Magallon, Raul Maldonado, Nate Matthews, Meet Patel, Zak Pizer, Jordan Siska, Lee Smith, Sullivan Stickann and Frank Vargas* as well as Manager Sam Michel, Coaches Nik Mason and Will Kerber be entered upon the minutes of the Highland Town Council, to be forever recorded and engrossed upon the permanent records of the Town in order to commend this team and its high achievement;

I still further proclaim, the appreciation of the Town of Highland to the parents, interested adults and others who served capably and loyally to support this achievement and the positive experience of our Senior Babe Ruth champions;

In Witness Whereof, I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 12th day of March 2018.

TOWN of HIGHLAND, INDIANA

BY ITS TOWN COUNCIL PRESIDENT

/s/Mark A. Herak

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

With leave from the Town Council, Councilor Vassar recognized the managers, coaches and players from both teams who were present and offered laudatory remarks about their achievement.

Staff Reports: The following staff reports were received and filed.

• **Building & Inspection Report for February 2018**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	6	0	6	\$450,768.00	\$7,071.50
Signs:	5	0	5	\$14,756.00	\$1,372.00
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	28	28	0	\$170,341.00	\$3,879.50
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	0	0	0	\$0.00	\$0.00
Decks & Porches:	0	0	0	\$0.00	\$0.00
Fences:	0	0	0	\$0.00	\$0.00
Swimming Pools:	0	0	0	\$0.00	\$0.00
DrainTile/ Waterproofing:	2	2	0	\$8,170.00	\$251.50
Miscellaneous	3	1	2	\$6,535.00	\$479.50
TOTAL:	44	31	13	\$650,570.00	\$13,054.00
Electrical Permits	11	7	4		\$1,487.00
Mechanical Permits	9	6	3		\$871.00
Plumbing Permits	10	5	5		\$1,469.25
Water Meters	0	0	0		\$0.00
Water Taps	1	0	1		\$333.00
Sewer/Storm Taps	2	0	2		\$1,000.00
TOTAL Plumbing:	13	5	8		\$2,799.25

February Code Enforcement:

Investigations: 25
Citations: 48

February Inspections:

Building: 19 Electrical: 24 Plumbing: 11 HVAC: 09
Electrical Exams: 17

• **Fire Department Report for February**

No REPORT filed. Will be provided at a future date.

• **Workplace Safety Report for February**

There was one workplace incident to report in February. The following report was filed.

Department	Injuries this Month	Year to Date 2018	Total in 2017	Restricted Days 2018	Lost Workdays This Year (2018)	Restricted Days Last Year (2017)	Lost Workdays Last Year (2017)
Parks	1	1	0	0	0	0	0
Fire	0	0	0	0	0	0	0
Police	0	1	6	0	0	0	365
Street	0	0	0	0	0	0	0
Water & Sewer	0	0	2	0	0	0	0
Maint.	0	0	2	0	0	0	0
Other	0	0	0	0	0	0	0
TOTALS	1	2	10	0	0	0	365

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Unfinished Business and General Orders:

- Proposed Ordinance No. 1671:** An Ordinance to Amend the Compensation, Benefits and Personnel Program of the Municipality, known as the Compensation and Benefits Ordinance, Commonly Called the Municipal Employee Handbook Particularly Regarding Authority for Special Administrative Leave and Repealing Prior Ordinances and Enactments in Conflict Therewith, Pursuant to IC 36-1-3 and other relevant Statutes. *If adopted, this ordinance will authorize limited special administrative leaves initiated by the municipality.*

Councilor Vassar introduced and moved the consideration of Ordinance No. 1671 at the same meeting of its introduction. Councilor Wagner seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of introduction.

Councilor Vassar moved the passage and adoption of Ordinance No. 1671 at the same meeting of its introduction. Councilor Wagner seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of introduction.

**ORDINANCE NO. 1671
OF THE
TOWN OF HIGHLAND, INDIANA**

AN ORDINANCE TO AMEND THE COMPENSATION, BENEFITS AND PERSONNEL PROGRAM OF THE MUNICIPALITY, KNOWN AS THE COMPENSATION AND BENEFITS ORDINANCE, COMMONLY CALLED THE MUNICIPAL EMPLOYEE HANDBOOK PARTICULARLY REGARDING AUTHORITY FOR SPECIAL ADMINISTRATIVE LEAVE AND REPEALING PRIOR ORDINANCES AND ENACTMENTS IN CONFLICT THEREWITH, PURSUANT TO IC 36-1-3 AND OTHER RELEVANT STATUTES.

WHEREAS, The Town Council is the fiscal and legislative body of the Town of Highland;

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

WHEREAS, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, IC 36-1-4, sections 14 and 15 provide in pertinent parts for the establishment of a system of employment for any class of employee and for fixing the level of compensation of its officers and employees; and

WHEREAS, IC 5-10 in several pertinent chapters further authorizes Indiana political subdivisions to participate in and provide for certain compensation plans, and group benefits for its public workforce and officers, some of which have been duly adopted and established by ordinance of the Town; and

WHEREAS, IC 36-5, Chapters 3 and 4 provide additional authority and guidelines for fixing the level of compensation of officers and employees in towns; and

WHEREAS, The Town Council has determined that an amendment of a program for compensation, benefits and personnel management for its public workforce, particularly regarding use of paid leaves would be of benefit to support and carryout the public purposes of the municipality; and

WHEREAS, The Town Council now desires to make such an amendment;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the established compensation, benefits and personnel program of the municipality pursuant to and consistent with the provisions of the relevant governing law, is found and determined to require certain modification;

Section 2. That the ordinance, with the short title styled as styled as the "Compensation and Benefits Ordinance" and commonly called Municipal Employee Handbook is hereby amended revising Section 5.11 to read as follows:

§ 5.11 Special Administrative Leaves

§ 5.11.01 Special Administrative (non-disciplinary) Law Enforcement Leave

(A) A police employee who has been involved in a Departmental shooting incident, whether or not the incident resulted in death or bodily injury to any person, may be granted administrative leave with pay and continuation of benefits by submitting a written request to the employee's commanding officer, all pursuant to standard operating procedures or rules/regulations as duly adopted in writing by the Town Board of Metropolitan Police Commissioners. Before administrative leave with pay and continuation of benefits may be granted, documentation of the change of duty status must be made on a form approved by and filed with the Clerk-Treasurer, and carrying the signatures of the following persons for the accompanying purposes:

1. Metropolitan Police Chief, evidencing approval;
2. Chairman, Town Board of Metropolitan Police Commissioners, evidencing approval and notice of the action; and
3. The Municipal Executive (Town Council President), evidencing notice of the action.

(B) Except as otherwise provided herein, administrative leave with pay and continuation of benefits for a police employee who has been involved in a Departmental shooting incident resulting in bodily injury to any person other than the police department employee shall not be granted nor extended for a period greater than six (6) months. Administrative leave with pay and continuation of benefits for a police department employee who has been involved in a Departmental shooting incident resulting in the police employee's own bodily injury or the death to any person shall not be granted nor extended for a period greater than twelve (12) months.

(C) The leave herein authorized under this provision is not to be construed as administrative leave discussed in IC 36-8-3-4.

§ 5.11.02 Special Administrative Leave (new)

A municipal employee may be granted administrative leave with pay and continuation of benefits in limited circumstances, where deemed necessary and appropriate. The leave shall not exceed ten (10) days but may be renewed or extended with the same approval needed for the initial grant of leave. The leave may not be initiated by the employee for whom the leave is granted. Before administrative leave with pay and continuation of benefits may be granted, documentation of and rationale for the leave must be made on a form approved by and filed with the Clerk-Treasurer, and carrying the signatures of the following persons for the accompanying purposes:

1. The appropriate department head, evidencing approval; if the employee is a department head, only the signatures of the following officers will be required;
2. Chairman, of the relevant Board or Commission; and
3. The Municipal Executive (Town Council President), evidencing notice of the action.

Section 3. That amendments adopted by the passage of this ordinance, in its substantive parts shall be compiled into a complete and simplified version, excluding its preambles or formal recitals, featuring a cover and brief narratives regarding the municipality and inserted in to a presented in handbook or similar form, to be distributed to employees and officers of the municipality and may be referred to as the *Employee Handbook*;

Section 4. That this ordinance is to be construed as a companion ordinance complimentary to any ordinance passed from time to time establishing wages and rates of pay and known as the salary ordinance;

- (a) That this ordinance shall be effective to the extent that it is not in conflict with Federal or State law;
- (b) That all other ordinances and resolutions related to the subject matter of this ordinance and not in conflict with its provisions, and the enabling instruments dealing with public employee retirement plans, remain in full force and effect;
- (c) That all other ordinances and resolutions in conflict with the provisions of this ordinance are hereby repealed and have no further force or effect;

Section 5. That any actions made lawful by this amendment carried-out consistent with its provisions but exercised before its adoption, are hereby approved, authorized and ratified pursuant to I.C. 36-1-4-16;

Section 6. That this ordinance shall become and remain in full force and effect from and after the date of its passage and adoption upon its signature by the executive as attested thereto by the clerk-treasurer, in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 12th day of March 2018. Consideration on same day or at same meeting of introduction experienced a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 12th Day of March 2018 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Mark A. Herak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. Works Board Order No. 2018-12: An Order of the Works Board Accepting the Bid of Russell's Tree Care for Tree Removal and Pruning Services for the Year 2018.

Councilor Wagner moved the passage and adoption of Works Board Order No. 2018-12. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS NO. 2018-12**

An Order of the Works Board Accepting the Bid of Russell's Tree Care for Tree Removal and Pruning Services for the Year 2018

Whereas, The Town Council, as the Board of Works of the municipality, has deemed it necessary to solicit bids for road materials, supplies, and services (work) in order to construct, repair, and maintain public ways throughout the Town; and

Whereas, The Town Council, pursuant to §3.05.030(A)(1)(a) of the HMC, serves as purchasing agency for the Public Works Department; and

Whereas, The purchase price exceeds \$15,000.00 and pursuant to §3.05.040 (C) of the HMC requires the express approval of the purchasing agency; and

Whereas, the Public Works Director, pursuant to § 3.05.050(D)(1) of the HMC, serves as the Purchasing Agent for the Public Works Department; and

Whereas, The Purchasing Agent, pursuant to §3.05.060(H) of the HMC, expected that the purchase, aggregate, may be more than \$15,000 and invited bids in accordance with Section §3.05.060(H) of the HMC; and

Whereas, Richard Underkofler, a volunteer independent contractor, had prepared an application and was successful in procuring a matching grant on behalf of the Town from the Indiana Department of Natural Resources for tree removal and replacement, all associated with the Emerald Ash Borer epidemic; and

Whereas, As a condition of the grant, the Town was required to procure competitive bids for the removal of diseased Ash trees and determined to incorporate the services required by the grant with the annual bids for tree removal services; and

Whereas, The Public Works Director, in consultation with Richard Underkofler, had prepared bid specifications for the Tree Removal and Pruning Services anticipated for the year 2018 and the work was bid in accordance with §3.05.060(H) of the HMC; and

Whereas, The following bids were received at 3:00 p.m. on February 22, 2018:

Tree Removal

Bidder	Russell's Tree Care 2018 DBH Unit Prices	Evans Tree Care 2018 DBH Unit Prices	Davey Tree Expert Co. 2018 DBH Unit Prices
Bid	6" to 11.9" = \$100 12" to 17.9" = \$250 18" to 23.9" = \$475 24" to 29.9" = \$675 30" to 35" = \$975 >35" = \$2,000 Stumps = \$2.50 per inch	6" to 11.9" = \$150 12" to 17.9" = \$325 18" to 23.9" = \$475 24" to 29.9" = \$750 30" to 35" = \$1,250 >35" = \$1,600 Stumps = \$3.00 per inch	6" to 11.9" = \$240 12" to 17.9" = \$450 18" to 23.9" = \$650 24" to 29.9" = \$780 30" to 35" = \$910 >35" = \$1,560 Stumps = \$6.00 per inch

Pruning

Russell's Tree Care Unit Prices	Evans Tree Care Unit Prices	Davey Tree Expert Co. Unit Prices
Medium Trees (12" to 24") = \$250 / Tree	Medium Trees (12" to 24") = \$225 / Tree	Medium Trees (12" to 24") = \$240 / Tree
Large Trees (>24") = \$300 / Tree	Large Trees (>24") = \$375 / Tree	Large Trees (>24") = \$480 / Tree

Whereas, The Public Works Director, with the assistance of Richard Underkofler has reviewed the bids and made recommendations for award on the various classes of work based on being the lowest responsive and responsible bids,

Now, Therefore, Be it Ordered, by the Town Council acting as the Works Board of Highland, Indiana the following:

Section 1. That the bid for tree removal and tree pruning services from Russell Tree Service, 12295 Sandalwood Drive, DeMotte, Indiana 46310 be accepted as the lowest responsive and responsible bid as follows:

Tree Removal

<u>Diameter Breast Height</u>	<u>Cost</u>
6" to 11.9	\$100.00 each
12" to 17.9"	\$250.00 each
18" to 23.9"	\$475.00 each
24" to 29.9"	\$675.00 each
30" to 35"	\$975.00 each
>35"	\$2,000.00 each
Stump Removal	\$2.50 per inch

Pruning

Medium Trees (12" to 24")	\$250.00 each (per tree)
Large Trees (>24")	\$300.00 each (per tree)

Section 2. The Public Works Director is hereby authorized to execute agreements and all documents necessary to implement the work.

Be it So Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 12th day of March 2018 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
 HIGHLAND, INDIANA**

Mark A. Herak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

3. **Action to approve pay for employee at higher than starting pay for the range of the position, pursuant to Section 2 (a) of Ordinance No. 1641 the Wage and Salary Ordinance, as amended.** Police Chief and the Town Board of Metropolitan Police Commissioners wish to hire of **Theresa Jansen** to the position of part-time Animal Warden in Police Department at a rate of pay of **\$12.00 per hour**. The pay for this position is in a range starting at *\$8.00 and ending at \$15.00*.

Councilor Kuiper moved to authorize and approve starting pay in the amount of \$12.00 per hour for the newly hired Theresa Jansen in the position of Animal Warden. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The higher pay was approved.

4. **Authorize change of start time for Study Sessions on the First and Third Mondays of the Month through the end of June 2018.**

Councilor Kuiper moved, notwithstanding Section 2.05.130 (B) of the Highland Municipal Code, and pursuant to Section 2.05.130 (D) and (E), that the Town Council regular study sessions scheduled on the First and Third Mondays **now begin at 6:30 p.m.**, rather than 7:00 p.m. through the end of June 2018, after which, the Town Council shall evaluate the merits of amending the municipal code to fix a different starting time for its Study sessions on the First and Third Mondays of each month. Councilor Wagner seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The start times were rescheduled through the of June 2018.

Monday, March 19, 2018
Monday, April 2, 2018
Monday, April 16, 2018
Monday, May 7, 2018
Monday, May 21, 2018
Monday, June 4, 2018
Monday, June 18, 2018

Comments or Remarks from the Town Council:
(For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison*

Councilor Zemen acknowledged the Redevelopment Director, who reported about a new business, Emma & Company Antiques.

- **Councilor Dan Vassar:** *Liaison to the Park and Recreation Board.*

Councilor Vassar thanked the Town Council and the Clerk-Treasurer for the opportunity to recognize the two Babe Ruth teams during the meeting.

Councilor Vassar acknowledged the Recreation Director, who offered a brief survey of programs in the Parks and Recreation Department, particularly reporting that the Lincoln Community Center would be hosting the State of Indiana Youth Gymnastics competition.

- **Councilor Steve Wagner:** *Advisory Board of Zoning Appeals Liaison • Redevelopment Commission Liaison.*

Councilor Wagner acknowledged the Building Commissioner who offered a brief survey of matters before the Advisory Board of Zoning Appeals.

- **Councilor Konnie Kuiper:** • *Town Board of Metropolitan Police Commissioners, Liaison • Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Police Chief who thanked the Town Council for approving the higher starting pay for the animal warden.

Councilor Kuiper acknowledged the Fire Chief who briefly reported on a mutual aid response to East Chicago.

- **Council President Mark Herak:** *Town Executive • Chair of the Board of Police Pension Trustees • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Council President Herak conveyed the condolences of the Town to Jerry Krooswyk on the recent passing of a family members.

Councilor President Herak acknowledged Public Works Director who reported that the Board of Sanitary Commissioners was seeking bids for sewer lining services.

Comments from Visitors or Residents:

1. Richard Crozier, 3221 George Street, Highland, noted that there were complaints on Facebook at the Highland the Good, the Bad and the Ugly page, regarding the mistakenly distributed shut off notices. Mr. Crozier indicated that he tried to correct some of the misimpressions. He noted that he called the Town Hall and was informed. He also stated that he was disappointed that more persons did not attend the meeting to get factual information.
2. Kevin Dougherty, 2929 Carlson Drive, Hammond, Indiana, indicated that he represented a business that provides technological solutions to billing organization. Mr. Dougherty was encouraged to meet with the IT Consultant for further discussion.
3. Terry Steagall, 8577 Kleinman Road, Highland, requested the Town Council consider passing a resolution for "common sense" gun safety policy, similar to one passed by the Lake County Council.
4. Freddie Rhoten, 8131 Fourth Place West, Highland reported a plowing incident, which occurred at the parking lot of Johnston Elementary School. He opined that its workers had snow plowed obstructing several residents' cars, which included his, for which he and his neighbors had obtained permission to park there to avoid a snowstorm parking violation.

Mr. Rhoten expressed disappointment regarding the no parking regulation during snow storms, as he has no driveway, urged different solution to the issue of parking that interferes with the snow plowing.

5. Tom Mathis, 3433 W. 900, Wheatfield, Indiana, urged greater transparency for all boards and commissions, specifically urging that all boards and commissions' meeting minutes be available on the Town's website.

Mr. Mathis further inquired about how public notice is published and what must be contained in such notice of meetings.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period February 27, 2018 through March 12, 2018. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$223,592.40; Motor Vehicle Highway and Street (MVH) Fund, \$40,135.69; Law Enforcement Continuing Education and Equipment Fund, \$2,061.15; Insurance Premium Fund, \$159,675.14; Information Communications Technology Fund, \$4,737.22; Civil Donation Fund, \$44.49; Police Pension Fund, \$3,335.00; Municipal Cumulative Capital Development Fund, \$7,764.89; General Improvement Fund, \$50.00; Traffic Violations and Law Enforcement Agency Fund, \$6,213.50; Gaming Revenue Sharing Fund, \$125,606.24; Total: \$573,215.72.

Adjournment of Plenary Meeting. Councilor Vassar moved that the plenary meeting be adjourned. Councilor Wagner seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, March 12, 2018 was adjourned at 8:06 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer